

REMARKS

In the Official Action mailed on **September 14, 2004**, the Examiner reviewed claims 1-23. The disclosure was objected to because of informalities. Claims 1-23 were provisionally rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 1-23 of copending Application No. 09/996,229. Claims 1, 3, 5-7, 10, 11, 13, 15-17, 20, and 21 were rejected under 35 U.S.C. §102(e) as being clearly anticipated by Hayakawa (USPN 6,329,838, hereinafter “Hayakawa”). Claims 8, 9, 18, 19, 22, and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hayakawa.

Objections to the disclosure

The disclosure was objected to because of informalities.

Applicant has amended the disclosure to correct the informalities noted by the Examiner.

Rejections under 35 U.S.C. §101

Claims 1-23 were provisionally rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 1-23 of copending Application No. 09/996,229.

Applicant expressly abandoned Application No. 09/996,229 on May 6, 2004 (see attached PAIR report for 09/996,229); therefore this rejection should be withdrawn.

Rejections under 35 U.S.C. §102(b) and 35 U.S.C. §103(a)

Independent claims 1, 11, and 21 were rejected as being clearly anticipated by Hayakawa. Applicant respectfully points out that Hayakawa teaches a series of input gates with an **increasing number of inputs** for creating a thermometer code (see Hayakawa, FIG. 5, gates I1-I4).

In contrast, the present invention uses a **recursive structure of two-input gates** for creating a thermometer code (see FIG. 3 and page 8, line 13 to page 10, line 10 of the instant application). Using a recursive structure of two-input gates is beneficial because it provides a constant fan-in for the input gates as opposed to an increasing number of inputs for successive input gates. There is nothing within Hayakawa, either explicit or implicit, which suggests using a recursive structure of two-input gates for creating a thermometer code.

Accordingly, Applicant has amended independent claims 1, 11, and 21 to clarify that the present invention uses a recursive structure of two-input gates for creating a thermometer code. Dependent claims 2 and 12 have been canceled without prejudice.

Hence, Applicant respectfully submits that independent claims 1, 11, and 21 are in condition for allowance. Applicant also submits that claims 3-10, which depend upon claim 1, claims 13-20, which depend upon claim 11, and claims 22-23, which depend upon claim 21, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By


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Search results as of: 9-27-2004::19:2

Search results for application number: 09/996,229

Application Number:	09/996,229	Customer Number:	22835
Filing or 371(c) Date:	11-30-2001	Status:	Expressly Abandoned During Examination
Application Type:	Utility	Status Date:	09-17-2004
Examiner Name:	NGO, CHUONG D	Location:	ELECTRONIC
Group Art Unit:	2124	Location Date:	-
Confirmation Number:	9854	Earliest Publication No:	US 2003-0105786 A1
Attorney Docket Number:	APL-P2684	Earliest Publication Date:	06-05-2003
Class/ Sub-Class:	708/100	Patent Number:	-
First Named Inventor:	William Athas, San Jose, CA (US)	Issue Date of Patent:	-
Title Of Invention:	Method and apparatus for quantifying the number of identical consecutive digits within a string		

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Image File Wrapper

File History

Date	Contents Description
09-20-2004	Mail Express Abandonment (During Examination)
09-17-2004	Express Abandonment (during Examination)
08-30-2004	Letter of Express Abandonment Filed
09-14-2004	Mail Non-Final Rejection
09-13-2004	Non-Final Rejection
08-13-2004	Case Docketed to Examiner in GAU
08-13-2004	Case Docketed to Examiner in GAU
08-13-2004	Case Docketed to Examiner in GAU
08-13-2004	Case Docketed to Examiner in GAU
05-21-2004	IFW TSS Processing by Tech Center Complete
09-29-2002	Case Docketed to Examiner in GAU
06-19-2002	Application Dispatched from OIPE
06-17-2002	Application Is Now Complete
11-30-2001	Additional Application Filing Fees
11-30-2001	An assertion that the nature of the legal entities having property rights patent authorizes t

Omitted Drawings. Applicant has Petitioned that the Filing Date not be used for the filing date of this application.

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11-30-2001	changed and the Petition has
12-07-2001	Notice of Omitted Items
12-06-2001	Correspondence Address Change
12-04-2001	IFW Scan & PACR Auto Security Review
11-30-2001	Initial Exam Team nn

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